

retary of Defense to establish a School of Nursing. See section 2169 of this title.

PRIOR PROVISIONS

A prior section 2117, added Pub. L. 92-426, §2(a), Sept. 21, 1972, 86 Stat. 716, authorized appropriations for the Uniformed Services University of the Health Sciences, prior to repeal by Pub. L. 101-510, div. A, title XIV, §1484(b)(2)(A), Nov. 5, 1990, 104 Stat. 1716.

CHAPTER 105—ARMED FORCES HEALTH PROFESSIONS FINANCIAL ASSISTANCE PROGRAMS

Subchapter	Sec.
I. Health Professions Scholarship and Financial Assistance Program for Active Service	2120
II. Nurse Officer Candidate Accession Program	2130a

AMENDMENTS

1994—Pub. L. 103-337, div. A, title XVI, §1663(c)(7)(A), Oct. 5, 1994, 108 Stat. 3008, redesignated item for subchapter III as item for subchapter II and struck out former item for subchapter II “Health Professions Stipend Program for Reserve Service”.

1989—Pub. L. 101-189, div. A, title VII, §§707(b), 725(h)(3), Nov. 29, 1989, 103 Stat. 1475, 1480, substituted “and Financial Assistance Program” for “Program” in item for subchapter I and added item for subchapter III.

1987—Pub. L. 100-180, div. A, title VII, §711(a)(1), Dec. 4, 1987, 101 Stat. 1108, substituted “FINANCIAL ASSISTANCE PROGRAMS” for “SCHOLARSHIP PROGRAM” in chapter heading, and added subchapter analysis, consisting of subchapters I and II.

SUBCHAPTER I—HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM FOR ACTIVE SERVICE

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AMENDMENTS

2008—Pub. L. 110-181, div. A, title VI, §623(b), Jan. 28, 2008, 122 Stat. 152, added item 2128.

1989—Pub. L. 101-189, div. A, title VII, §725(d)(3), (h)(2), Nov. 29, 1989, 103 Stat. 1479, 1480, substituted “AND FINANCIAL ASSISTANCE PROGRAM” for “PROGRAM” in subchapter heading and “Scholarships and financial assistance” for “Contracts for scholarships” in item 2127.

1987—Pub. L. 100-180, div. A, title VII, §711(a)(1), Dec. 4, 1987, 101 Stat. 1108, added subchapter heading.

1980—Pub. L. 96-513, title V, §511(66), Dec. 12, 1980, 94 Stat. 2926, substituted in item 2123 “program:” for “program;”, and in items 2124 to 2127 “:” for “;” wherever appearing.

§ 2120. Definitions

In this subchapter:

(1) The term “program” means the Armed Forces Health Professions Scholarship and Financial Assistance program provided for in this subchapter.

(2) The term “member of the program” means a person appointed a commissioned officer in a reserve component of the armed forces who is enrolled in the Armed Forces Health Professions Scholarship and Financial Assistance program.

(3) The term “course of study” means education received at an accredited college, university, or institution in medicine, dentistry, or other health profession, leading, respectively, to a degree related to the health professions as determined under regulations prescribed by the Secretary of Defense.

(4) The term “specialized training” means advanced training in a health professions specialty received in an accredited program that is beyond the basic education required for appointment as a commissioned officer with a designation as a health professional.

(Added Pub. L. 92-426, §2(a), Sept. 21, 1972, 86 Stat. 717; amended Pub. L. 98-94, title XII, §1268(13), Sept. 24, 1983, 97 Stat. 706; Pub. L. 100-26, §7(k)(2), Apr. 21, 1987, 101 Stat. 284; Pub. L. 100-180, div. A, title VII, §711(a)(2), Dec. 4, 1987, 101 Stat. 1108; Pub. L. 101-189, div. A, title VII, §725(a), (h)(1), Nov. 29, 1989, 103 Stat. 1478, 1480.)

AMENDMENTS

1989—Pars. (1), (2). Pub. L. 101-189, §725(h)(1), substituted “Scholarship and Financial Assistance program” for “Scholarship program”.

Par. (4). Pub. L. 101-189, §725(a), added par. (4).

1987—Pub. L. 100-180 substituted “subchapter” for “chapter” in introductory text and in par. (1).

Pub. L. 100-26 inserted “The term” after each par. designation and struck out uppercase letter of first word after first quotation marks in each par. and substituted lowercase letter.

1983—Pub. L. 98-94 substituted a colon for a dash after “In this chapter” in text preceding par. (1).

DEMONSTRATION PROJECT ON SERVICE OF RETIRED NURSE CORPS OFFICERS AS FACULTY AT CIVILIAN NURSING SCHOOLS

Pub. L. 110-417, [div. A], title V, §597, Oct. 14, 2008, 122 Stat. 4479, as amended by Pub. L. 111-383, div. A, title X, §1075(e)(8), Jan. 7, 2011, 124 Stat. 4375, provided that:

“(a) IN GENERAL.—The Secretary of Defense may conduct a demonstration project to encourage retired military nurses to serve as faculty at civilian nursing schools.

“(b) ELIGIBILITY REQUIREMENTS.—

“(1) INDIVIDUAL.—An individual is eligible to participate in the demonstration project if the individual—

“(A) is a retired nurse corps officer of one of the Armed Forces;

“(B) has had at least 26 years of active Federal commissioned service before retiring; and

“(C) possesses a doctoral or master degree in nursing that qualifies the officer to become a full faculty member of an accredited school of nursing.

“(2) INSTITUTION.—An accredited school of nursing is eligible to participate in the demonstration project if the school or its parent institution of higher education—

“(A) is a school of nursing that is accredited to award, at a minimum, a bachelor of science in nursing and provides educational programs leading to such degree;

“(B) has a resident Reserve Officers’ Training Corps unit at the institution of higher education that fulfils the requirements of sections 2101 and 2102 of title 10, United States Code;

“(C) does not prevent Reserve Officers’ Training Corps access or military recruiting on campus, as defined in section 983 of title 10, United States Code;

“(D) provides any retired nurse corps officer participating in the demonstration project a salary and other compensation at the level to which other similarly situated faculty members of the accredited school of nursing are entitled, as determined by the Secretary of Defense; and

“(E) agrees to comply with subsection (d).

“(c) COMPENSATION.—The Secretary of Defense may authorize a Secretary of a military department to authorize qualified institutions of higher education to employ as faculty those eligible individuals (as described in subsection (b)) who are receiving retired pay, whose qualifications are approved by the Secretary and the institution of higher education concerned, and who request such employment, subject to the following:

“(1) A retired nurse corps officer so employed is entitled to receive the officer’s retired pay without reduction by reason of any additional amount paid to the officer by the institution of higher education concerned. In the case of payment of any such additional amount by the institution of higher education concerned, the Secretary of the military department concerned may pay to that institution the amount equal to one-half the amount paid to the retired officer by the institution for any period, up to a maximum of one-half of the difference between the officer’s retired pay for that period and the active duty pay and allowances that the officer would have received for that period if on active duty. Payments by the Secretary concerned under this paragraph shall be made from funds specifically appropriated for that purpose.

“(2) Notwithstanding any other provision of law contained in title 10, title 32, or title 37, United States Code, such a retired nurse corps officer is not, while so employed, considered to be on active duty or inactive duty training for any purpose.

“(d) SCHOLARSHIPS FOR NURSE OFFICER CANDIDATES.—For purposes of the eligibility of an institution under subsection (b)(2)(E), the following requirements apply:

“(1) Each accredited school of nursing at which a retired nurse corps officer serves on the faculty under this section shall provide full academic scholarships to individuals undertaking an educational program at such school leading to a bachelor of science in nursing degree who agree, upon completion of such program, to accept a commission as an officer in the nurse corps of one of the Armed Forces.

“(2) The total number of scholarships provided by an accredited school of nursing under paragraph (1) for each officer serving on the faculty of that school under this section shall be such number as the Secretary of Defense shall specify for purposes of this section.

“(3) Each accredited school of nursing shall pay to the Department of Defense an amount equal to the value of the scholarship for every nurse officer candidate who fails to be accessed as a nurse corps officer into one of the Armed Forces within one year of receiving a bachelor of science degree in nursing from that school.

“(4) The Secretary concerned is authorized to discontinue the demonstration project authorized in this section at any institution of higher education that fails to fulfill the requirements of paragraph (3).

“(e) REPORT.—

“(1) IN GENERAL.—Not later than 24 months after the commencement of any demonstration project under this section, the Secretary of Defense shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report on the demonstration project. The report shall include a description of the project and a description of plans for the continuation of the project, if any.

“(2) ELEMENTS.—The report shall also include, at a minimum, the following:

“(A) The current number of retired nurse corps officers who have at least 26 years of active Federal commissioned service who would be eligible to participate in the program.

“(B) The number of retired nurse corps officers participating in the demonstration project.

“(C) The number of accredited schools of nursing participating in the demonstration project.

“(D) The number of nurse officer candidates who have accessed into the military as commissioned nurse corps officers.

“(E) The number of scholarships awarded to nurse officer candidates.

“(F) The number of nurse officer candidates who have failed to access into the military, if any.

“(G) The amount paid to the Department of Defense in the event any nurse officer candidates awarded scholarships by the accredited school of nursing fail to access into the military as commissioned nurse corps officers.

“(H) The funds expended in the operation of the demonstration project.

“(I) The recommendation of the Secretary of Defense as to whether the demonstration project should be extended.

“(f) DEFINITIONS.—In this section, the terms ‘school of nursing’ and ‘accredited’ have the meanings given those terms in section 801 of the Public Health Service Act (42 U.S.C. 296).

“(g) SUNSET.—The authority in this section shall expire on June 30, 2014.”

§ 2121. Establishment

(a)(1) For the purpose of obtaining adequate numbers of commissioned officers on active duty who are qualified (A) in the various health professions or (B) as a health professional with specific skills to assist in providing mental health care to members of the armed forces, the Secretary of each military department, under regulations prescribed by the Secretary of Defense, may establish and maintain a health professions scholarship and financial assistance program for his department.

(2) Under the program of a military department, the Secretary of that military department shall allocate a portion of the total number of scholarships to members of the program described in paragraph (1)(B) for the purpose of assisting such members to pursue a degree at the masters and doctoral level in any of the following disciplines:

(A) Social work.

(B) Clinical psychology.

(C) Psychiatry.

(D) Other disciplines that contribute to mental health care programs in that military department.

(b) The program shall consist of courses of study and specialized training in designated health professions, with obligatory periods of military training.

(c)(1) Persons participating in the program shall be commissioned officers in reserve components of the armed forces. Members pursuing a course of study shall serve on active duty in pay grade O-1 with full pay and allowances of that grade for a period of 45 days during each year of participation in the program. Members pursuing specialized training shall serve on active duty in a pay grade commensurate with their educational level, as determined by appointment under section 12207 of this title, with full pay and allowances of that grade for a period of 14